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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BOARD OF TRUSTEE OF THE I.A.T.S.E. :
ANNUITY FUND, *et al.*, :
:

Plaintiff, :

-v- :

NATIONAL CONVENTION SERVICES, LLC :

Defendant. :

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GREGORY H. WOODS, United States District Judge:

1:24-cv-19-GHW-SDA

ORDER

On July 16, 2024, Magistrate Judge Aaron issued a Report and Recommendation (“R&R”) recommending that the Court grant Plaintiffs’ motion for a default judgment. Dkt. No. 27. Defendant was mailed a copy of the R&R on July 17, 2024. Dkt. No. 28. In the R&R, Judge Aaron determined that Defendant was liable under 29 U.S.C § 1145 and 29 U.S.C § 185(a) for failing to make contributions to employee benefit plans as required by a collective bargaining agreement. *See* R&R at 8–9. He then determined that Plaintiffs were entitled to damages, attorneys’ fees, costs, and prejudgment interest totaling \$127,556.01. *Id.* at 16–17.

A district court reviewing a magistrate judge’s report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Parties may raise specific, written objections to the report and recommendation within fourteen days of the date of service of the report. *Id.*; *see also* Fed. R. Civ. P. 72(b)(2). Because Defendant received service by mail, it was entitled to an additional three days, extending its deadline to submit any objections to seventeen days from the date on which it was mailed the order. Fed. R. Civ. P. 6(d). The Court reviews for clear error those parts of the report and recommendation to which no party has timely objected. 28 U.S.C. § 636(b)(1)(A); *Lewis v. Zon*,


573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008).

No objection to the R&R was submitted within the seventeen-day window. The Court has reviewed the R&R for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a “district court may adopt those portions of a report and recommendation to which no objections have been made, as long as no clear error is apparent from the face of the record.”). The Court accepts and adopts the R&R in its entirety. For the reasons articulated in the R&R, Plaintiffs’ motion for default judgment is granted.

Plaintiffs are directed to mail a copy of this order to Defendant. The Clerk of Court is directed to enter judgment for Plaintiffs in the amount of \$127,556.01 plus post-judgment interest calculated pursuant to 28 U.S.C. § 1961(a) until Defendant complies with the judgment, terminate the motion pending at Dkt. No. 17, and close this case.

SO ORDERED.

Dated: August 5, 2024



GREGORY H. WOODS
United States District Judge